

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
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ELVIN MERCADO)

2005 MAR 21 P 2:25

VS.)

U.S. DISTRICT COURT
DISTRICT OF MASS.
CIVIL NO# 04-11653-PBS

UNITED STATES OF AMERICA)

MOTION TO RELEASE TAPE OR TRANSCRIPTS OF
CONVERSATIONS BETWEEN ELVIN MERCADO AND STEVEN J RAPAPORT

The petitioner, ELVIN MERCADO, #24448-038 acting pro se is requesting for the tapes or transcripts of conversations between ELVIN MERCADO and STEVEN J. RAPPAPORT, So the petitioner can show the court the petitioner had some conversations about a few matters. On the petitioners sentencing date after sentencing Mr. Rappaport told Mr. Mercado to file ineffective assistance of counsel because Mr. Rappaport did not explain everything to the petitioner. I the petitioner did not ask Mr. Rappaport what it was he did not explain to me because of everything going threw my mind at time. So when the petitioner got to F.M.C. DEVENS. The petitioner called Mr. Rappaport and asked him about what he said at my sentencing date he did not denied it or nothing. He told me file it and that he won't fight it. There was alot of issues I told him I did not agree and told him to do which he did not do. For the the above reasons and grounds the petitioner needs to get these tapes to show the court.

Respectfully Submitted
ELVIN MERCADO #24448-038
Elvin Mercado
petitioner

MARCH 17, 2005

3/25/05 allowed without opposition
The government shall ask the prison
to provide a copy of any tapes of
these conversations. (Dated 3/25/05)

I, ELVIN MERCADO, 24448-038, acting pro se do hereby certify that I have this 17 day of march 2005 served the copy of the foregoing by mail to assistant U.S. ATTORNEY, PETER K. LEVITT at the UNITED STATES ATTORNEY OFFICE DISTRICT OF MASSACHUSETTS JOHN J. MOAKLEY COURTHOUSE, SUITE 9200, 1 courthouse way. boston, mass 02210

ELVIN MERCADO#24448-038

F.M.C. DEVENS

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